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 6

7 UNITED STATES DISTRICT COURT  
 8 NORTHERN DISTRICT OF CALIFORNIA  
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|   |   |                                   |
|---|---|-----------------------------------|
| 10 SIERRA CLUB, CENTER FOR                | ) |                                   |
| BIOLOGICAL DIVERSITY, WILDEARTH           | ) | Case Number: 3:14-cv-04596 EMC    |
| 11 GUARDIANS, MEDICAL ADVOCATES           | ) |                                   |
| FOR HEALTHY AIR, and PHYSICIANS           | ) | STIPULATION AND PROPOSED ORDER    |
| 12 FOR SOCIAL RESPONSIBILITY – LOS        | ) | OF DISMISSAL WITHOUT PREJUDICE OF |
| ANGELES                                   | ) | PARTY-INTERVENOR SAN JOAQUIN      |
|   | ) | VALLEY UNIFIED AIR POLLUTION      |
| 13 Plaintiffs,                            | ) | CONTROL DISTRICT                  |
|   | ) |                                   |
| 14 v.                                     | ) |                                   |
|   | ) |                                   |
| 15 UNITED STATES ENVIRONMENTAL            | ) |                                   |
| PROTECTION AGENCY; GINA                   | ) |                                   |
| 16 MCCARTHY, in her official capacity as  | ) |                                   |
| 17 Administrator of the United States     | ) |                                   |
| Environmental Protection Agency; and      | ) |                                   |
| 18 JARED BLUMENFELD, in his official      | ) |                                   |
| capacity as Regional Administrator of the | ) |                                   |
| 19 United States Environmental Protection | ) |                                   |
| Agency,                                   | ) |                                   |
|   | ) |                                   |
| 20 Defendants, and                        | ) |                                   |
|   | ) |                                   |
| 21 SAN JOAQUIN VALLEY UNIFIED AIR         | ) |                                   |
| POLLUTION CONTROL DISTRICT and            | ) |                                   |
| 22 SOUTH COAST AIR QUALITY                | ) |                                   |
| MANAGEMENT DISTRICT,                      | ) |                                   |
|   | ) |                                   |
| 23 Defendant-Intervenors                  | ) |                                   |



1 Unified Air Pollution Control District shall be dismissed without prejudice from the action,  
2 pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii).

3 Respectfully Submitted,

4  
5 Date: April 14, 2016

*/s/ Elizabeth B. Forsyth*

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*/s/ Annette A. Ballatore-Williamson*

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*/s/ Barbara Baird*

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~~[PROPOSED]~~ ORDER

Pursuant to the Parties' stipulation, Plaintiffs' claim against EPA with respect to the San Joaquin Valley for failure to making a finding of nonattainment of the 1997 PM2.5 NAAQS and failure to reclassify the San Joaquin Valley as a Serious nonattainment area is dismissed without prejudice pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii).

Defendant-Intervenor San Joaquin Valley Unified Air Pollution Control District is dismissed without prejudice from the action, pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii).

IT IS SO ORDERED.

Dated: April 19, 2016

